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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/190,138

11/12/1998

H. WILLIAM BOSCH

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31049 7590 10/15/2007

ELAN DRUG DELIVERY, INC.

C/O FOLEY & LARDNER LLP

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WASHINGTON, DC 20007-5109

EXAMINER

ALSTRUM ACEVEDO, JAMES HENRY

ART UNIT

PAPER NUMBER

1616

MAIL DATE

DELIVERY MODE

10/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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|---------------------------------|-------------|---|---------------------|
| 09190138                        | 11/12/1998  | BOSCH ET AL.                                      | 029318/0109         |

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**EXAMINER**

James H. Alstrum-Acevedo

| ART UNIT | PAPER    |
|----------|----------|
| 1616     | 20071010 |

DATE MAILED:

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Commissioner for Patents

Esteemed Dr. Steven M. Reid, Esq.

Appellants' 4<sup>th</sup> transmittal of an appeal brief submitted on July 30, 2007 is noted. This 4<sup>th</sup> transmittal of an appeal brief is being treated as a reply brief, because Appellants received an Examiner's Answer mailed on January 23, 2007 that (1) addressed Appellants' arguments set forth in the appeal brief, submitted on October 6, 2006, traversing the rejections of record and (2) the concerns of the Board of Patent Appeals and Interferences (BPAI, "Board") regarding Soviet Union Abstract No. 628930. The instant application has been forwarded to the Board.

Respectfully submitted,

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SABIHA QAZI, PH.D  
PRIMARY EXAMINER